

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

NORMAND BEDFORD

v.

C.A. No. 05 - 111 S

A.T. WALL, et al.

Report and Recommendation

Jacob Hagopian, Senior United States Magistrate Judge

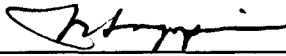
On March 11, 2005, plaintiff Normand Bedford filed with the Court a Complaint pursuant to 42 U.S.C. § 1983 and named as defendants officials or employees at the Rhode Island Department of Corrections. Having not effected service on any of the named defendants, the District Court issued to Bedford an Order to Show Cause, in writing, why the instant case should not be dismissed to due lack of service of process within the 120 day time period. See Fed.R.Civ.P. 4 (m).

In response to the Order to Show Cause, plaintiff indicates that he attempted to serve the defendants through interdepartmental mail. See Plaintiff's Memorandum to Show Cause, at 1-2. However, he was unsuccessful. Id. Plaintiff also indicates that he was confined in segregation for almost two months of the 120 day period (May 2, 2005 through June 27, 2005). See Plaintiff's Supplemental Memorandum in Support of Motion to Show Cause, at 2. During this time, access to his legal files was allegedly curtailed. Id. Accordingly, plaintiff seeks an extension of time in which to complete service.

Since the plaintiff was confined in segregation for a significant amount of time and since during that time access to his legal materials was allegedly curtailed, I find that the plaintiff has shown cause and I recommend that the plaintiff be provided an additional sixty days, from the date of this Report and Recommendation, to effect service of process pursuant to Fed.R.Civ.P. 4 on all

of the named defendants.

Any objection to this Report and Recommendation must be specific and must be filed with the Clerk of Court within ten days of its receipt. Fed R. Civ. P. 72(b); Local Rule 32. Failure to file timely, specific objections to this report constitutes waiver of both the right to review by the district court and the right to appeal the district court's decision. United States v. Valencia-Copete, 792 F.2d 4 (1st Cir. 1986) (per curiam); Park Motor Mart, Inc. v. Ford Motor Co., 616 F.2d 603 (1st Cir. 1980).



Jacob Hagopian
Senior United States Magistrate Judge
August 23, 2005